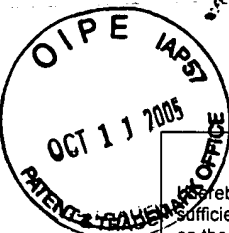


2818 *EW*



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

_____, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: October 5, 2005 Name: Joseph F. Hetz, Reg. No. 41,070 Signature: *[Signature]*

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **SUBRAMANIAN ET AL.**

Appln. No.: **09/939,498**

Filed: **August 24, 2001**

For: **VERTICALLY STACKED FIELD
PROGRAMMABLE NONVOLATILE
MEMORY AND METHOD OF
FABRICATION**

Examiner: **D. Vu**

Art Unit: **2818**

Attorney Docket No: **10519/30**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal and Response to Election/Restriction Requirement.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

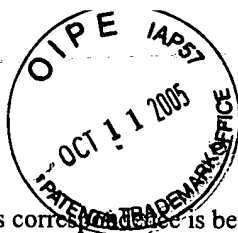
- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☐ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date 10-5-05

[Signature]

Joseph F. Hetz (Reg. No. 41,070)

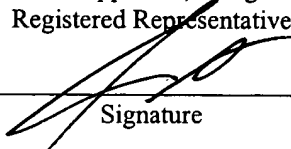


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on October 5, 2005

Date of Deposit

Joseph F. Hetz - Reg. No. 41,070

Name of Applicant, Assignee or
Registered Representative


Signature

Our Case No. 10519-30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Subramanian et al.

Serial No.: 09/939,498

Filed: August 24, 2001

For: Vertically Stacked Field
Programmable Nonvolatile
Memory and Method of
Fabrication

Examiner: D. Vu

Group Art Unit: 2818

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

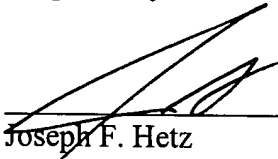
In response to the Election/Restriction Requirement mailed September 29, 2005,

Applicants elect Species I (Claims 95-100 and 120-121) without traverse.

Dated: October 5, 2005

Respectfully submitted,

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610


Joseph F. Hetz
Reg. No. 41,070
Attorney for Applicants